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EXAMINER

SINGH, RACHNA

ART UNIT	PAPER NUMBER
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2176

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/630,905

Applicant(s)

DONAHUE, JOHN J.

Examiner

Rachna Singh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/05/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/14/07
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendments & Remarks filed on 06/05/07.

2. Claims 1-38 are pending. Claims 1, 20, 27, 31, and 33 are independent claims. Claims 1, 5, 20, 27, 31, and 33 have been amended. Claims 34-38 are newly added claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Independent claims 1, 20, 27, 31, and 33 have been amended to recite, "human readable" text document. The Specification does not discuss or define a "human readable" text document. Applicant defines the term as a document written in a spoken

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language; however, there is no support for this definition or the term anywhere in the specification. Clarification and/or correction is required.

Dependent claims 2-19, 21-26, 28-29, 32 and 34-38 are rejected under 35 U.S.C. 112, first paragraph, for fully incorporating the deficiencies of their base claim from which they depend.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5-6, 10-11, 13-14, 17, 20, 31, 34, 36, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng, US 2002/0152254 A1, 10/17/02 (filed 11/30/01, provisional filed on 12/22/00).

Regarding claim 1, Teng discloses a template based workflow definition in which a template which can be a text document is used to define a workflow which meets the limitation, ***a computer-assisted process for converting a displayed human readable text document into a workflow process***. See page 1, paragraph [0014] and page 15, paragraph [0187].

Teng teaches the template can be created using a word processor (i.e. text document). The template defines a set of parameters for actions available to various workflow types to create a customized workflow. See page 1, paragraphs [0014]-[0015]. Specifically, Teng teaches a template is created and stored using a word processor. Teng teaches the systems reads the templates and determines which actions can be added to a GUI. The system then receives a selection of the attributes and types from the user via the GUI which results in a workflow definition which is stored for later use. Compare with, ***detecting text portions of the displayed human readable text document and detecting at least one user-selected workflow process parameter associated with each text portion of the document.*** See page 1, paragraph [0014] and page 15, paragraphs [0187]-[0193].

Teng teaches the actions selected by the user in the XML document are added to a Graphical User Interface. The appropriate attributes and types of attributes are added to the GUI based on the template definition. The GUI is used to represent the flow of the workflow and any subflows represented by the XML document and results in a workflow definition that can be used to participate in or to start a workflow which meets the limitation, ***converting the text portions and user-selectable workflow process parameters in step (1) into a data structure representing an ordering of information to be elicited when the workflow process is executed and using the data structure to drive the workflow process.*** See page 15, paragraphs [0187]-[0195].

Teng does not expressly teach ***user-selected text portions of a document***. It was well known in the art at the time of the invention to select a portion of a document. Teng teaches selecting an entire document for conversion into a data structure. It would have been obvious to a person of ordinary skill in the art at the time of the invention to substitute the known method of selecting a portion of a document with Teng's method of selecting the entire document in order to achieve the predictable result of selecting a portion of the document for conversion into a data structure.

Regarding claim 2, Teng teaches the workflow attributes and parameters defined in the template define the steps of a workflow process. The template is an XML document that defines a set of parameters for each of the actions available to that particular workflow type. See page 14, paragraph [0184] and page 15. Actions of the workflow are executed in the order they appear.

Regarding claim 3, Teng teaches the workflow attributes and parameters defined in the template define the steps of a workflow process. The template is an XML document that defines a set of parameters for each of the actions available to that particular workflow type. See page 14, paragraph [0184] and page 15. Actions of the workflow are executed in the order they appear.

Regarding claim 5, Teng teaches organizations and businesses require various pre-defined business methods to carry out various tasks that are commonly used in

their business practices. In order to implement various business methods, workflows have been implemented to automate those business methods. This includes transaction negotiation as it was a commonly used business task utilized by organizations. See page 1, paragraph [0010]-[0015].

Regarding claim 6, Teng teaches a user fully defines the workflow process using a template which can include the modification of a label used to designate a phase. See page 14, paragraph [0184]

Regarding claim 10, Teng teaches a user fully defines the workflow process using a template which can include the specification of a placeholder. See page 14, paragraph [0184].

Regarding claim 11, Teng teaches a user can provide the parameters that define how workflows are created. A user controls and defines the workflow process which can include re-ordering a previously specified workflow parameter. See page 14, paragraph [0184] and page 15.

Regarding claim 13, Teng teaches the template file is an XML document that defines a set of parameters for each of the actions available to the particular workflow. See page 14, paragraph [0184].

Regarding claim 14, Teng teaches generating a GUI from the template from which the workflow process and subflows are executed. See pages 14-15.

Regarding claim 17, Teng teaches a user defines the workflow process parameters in the template. See page 14, paragraph [0184].

Regarding claim 20, Teng discloses a template based workflow definition in which a template which can be a text document is used to define a workflow which meets the limitation, ***a computer-assisted process of reverse engineering a text document into a workflow process***. See page 1, paragraph [0014] and page 15, paragraph [0187].

Teng teaches the template can be created using a word processor (i.e. text document). The template defines a set of parameters for actions available to various workflow types to create a customized workflow. See page 1, paragraphs [0014]-[0015]. Teng teaches a user creates an XML document using a word processor to define a workflow process. A word processor provides editing tools allowing the user to create and tag documents with workflow process parameters. See page 14, paragraph [0184] and the table showing an XML document comprising tags inputted from a user. Teng teaches the systems reads the templates and determines which actions can be added to a GUI. The system then receives a selection of the attributes and types from the user which is used to form a GUI which meets the limitation, ***displaying the human readable text document on a computer screen; receiving user input from editing tools***

superimposed over the human readable text document, wherein the editing tools permit the user to tag the document with associated workflow process parameters associated with portions of the document. See page 15, paragraphs [0187]-[0193].

Teng teaches the actions selected by the user in the XML document are added to a Graphical User Interface. The appropriate attributes and types of attributes are added to the GUI based on the template definition. The GUI is used to represent the flow of the workflow and any subflows represented by the XML document and results in a workflow definition that can be stored and later used to participate in or to start a workflow which meets the limitation, ***generating and storing a data structure representing the workflow process from the tagged document.*** See page 15, paragraphs [0187]-[0195].

Teng does not expressly teach ***user-selected text portions of a document.*** It was well known in the art at the time of the invention to select a portion of a document. Teng teaches selecting an entire document for conversion into a data structure. It would have been obvious to a person of ordinary skill in the art at the time of the invention to substitute the known method of selecting a portion of a document with Teng's method of selecting the entire document in order to achieve the predictable result of selecting a portion of the document for conversion into a data structure.

Regarding claim 31, claim 31 is drawn to the system comprising the means for carrying out the process steps of claim 1. Accordingly, claim 31 is rejected under the same rationale used in claim 1 above.

Regarding claim 34, Teng teaches organizations and businesses require various pre-defined business methods to carry out various tasks that are commonly used in their business practices. In order to implement various business methods, workflows have been implemented to automate those business methods. This includes transaction negotiation as it was a commonly used business task utilized by organizations. See page 1, paragraph [0010]-[0015].

Regarding claim 36, Teng teaches organizations and businesses require various pre-defined business methods to carry out various tasks that are commonly used in their business practices. In order to implement various business methods, workflows have been implemented to automate those business methods. This includes transaction negotiation as it was a commonly used business task utilized by organizations. See page 1, paragraph [0010]-[0015].

Regarding claim 38, Teng teaches a user fully defines the workflow process using a template which can include the specification of a placeholder. See page 14, paragraph [0184].

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7. Claims 4, 7-9, 12, 15-16, 18, 21-30, 32-33, 35, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng, US 2002/0152254 A1, 10/17/02 (filed 11/30/01, provisional filed on 12/22/00) in view of Dahlin et al., US 2004/0122701 A1, 06/24/04 (filed 11/23/01).

Regarding claim 4, Teng does not expressly state the workflow parameters comprise questions; however, workflows generally comprise questions as disclosed by Dahlin. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 7, Teng teaches the user specifies the parameters that define the workflow process; however, Teng does not expressly state that the user creates a question. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. Dahlin teaches the interface provides a plurality of questions to be asked or entered about a patient. Entering a

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question about the patient is creating a question to be asked. See page 2, paragraph [0017] of Dahlin. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 8, Teng does not expressly teach detecting user-selected valid responses for a question that will be asked during the workflow process; however Dahlin discloses a medical workflow system in which a GUI is used by a health care professional to answer a set of questions to arrive at a diagnosis. See page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Dahlin's system of valid answers to questions in the system of Teng because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 9, Teng teaches defining a workflow and subflow processes. Teng does not teach the user selects dependencies among questions; however, workflows generally comprise questions that determine the next workflow task as disclosed by Dahlin. Dahlin discloses a workflow in which an interface is provided for

asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. The answer to one workflow question determines the next question. These are termed "prerequisite questions". See page 9, paragraph [0080]. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions with dependencies to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 12, Teng teaches a user defines the workflow process which comprises steps and phases. Teng does not teach the user specifies questions within the steps although he teaches the user defines the parameters within the steps. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 15, Teng teaches generating a GUI but does not teach the computer displays are arranged into phases containing steps wherein the steps comprise one or more questions. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 16, Teng does not teach generating a new document from the information elicited in step (3); however, Dahlin teaches displaying medical diagnostic and treatment information to the user based on the health professional's choices throughout the workflow process. See pages 2, paragraph [0017]-page 3, paragraph [0026]. It would have been obvious to produce a document from the information received in a workflow process because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 18, Teng teaches defining the parameters associated with the workflow process; however, Teng does not teach detecting a question associated with a phase or text. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 21, Teng does not expressly state the workflow parameters comprise questions; however, workflows generally comprise questions as disclosed by Dahlin. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 22, Teng does not teach the workflow process parameters comprise a user-specified order of a question to be asked during execution; however, workflows generally comprise questions as disclosed by Dahlin. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 23, Teng teaches a user defines the workflow process which comprises steps and phases. Teng does not teach the user specifies questions within the steps although he teaches the user defines the parameters within the steps. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 24, Teng teaches a user can define the workflow parameters using a template. See page 14, paragraph [0187].

Regarding claim 25, Teng teaches defining the workflow parameters for a workflow process using a template.

Regarding claim 26, Teng does not disclose a user specifying a question to be solicited during the workflow. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 27, Teng discloses a template based workflow definition in which a template which can be a text document is used to define a workflow which meets the limitation, ***a computer-assisted process for converting a human readable text document into a workflow process***. See page 1, paragraph [0014] and page 15, paragraph [0187].

Teng teaches the template can be created using a word processor (i.e. text document). The template defines a set of parameters for actions available to various workflow types to create a customized workflow. See page 1, paragraphs [0014]-[0015]. Specifically, Teng teaches a template is created and stored using a word processor. Teng teaches the systems reads the templates and determines which actions can be added to a GUI. The system then receives a selection of the attributes and types from the user which is used to form a GUI which meets the limitation, ***displaying the human readable text document on a computer screen; detecting user-selected text portions of the text document on the computer screen; detecting user-selected options for associating each user-selected text portion with a plurality of workflow process parameters including at least an indication of when information corresponding to the user-selected text portion will be solicited during the workflow process and an indication of how information corresponding to the user-selected text portion will be solicited during the workflow process.*** See page 15, paragraphs [0187]-[0193].

Teng teaches the actions selected by the user in the XML document are added to a Graphical User Interface. The appropriate attributes and types of attributes are added to the GUI based on the template definition. The GUI is used to represent the flow of the workflow and any subflows represented by the XML document and results in a workflow definition that can be stored and later used to participate in or to start a workflow which meets the limitation, ***generating a data structure that contains***

portions of the text document and the associations detected in step (3). See page 15, paragraphs [0187]-[0195].

Teng does not expressly teach ***user-selected text portions of a document***. It was well known in the art at the time of the invention to select a portion of a document. Teng teaches selecting an entire document for conversion into a data structure. It would have been obvious to a person of ordinary skill in the art at the time of the invention to substitute the known method of selecting a portion of a document with Teng's method of selecting the entire document in order to achieve the predictable result of selecting a portion of the document for conversion into a data structure.

Teng does not teach executing the workflow process by generating prompts to solicit information and detecting responses to the prompts and generating a text document reflecting information entered in response to the prompts. However, Dahlin teaches prompting a user to solicit information regarding patient conditions and presenting a diagnosis of the patient based on the responses. See figures 13-16, page 4, paragraphs [0041]-[0044]. Dahlin teaches displaying medical diagnostic and treatment information to the user based on the health professional's choices throughout the workflow process. See pages 2, paragraph [0017]-page 3, paragraph [0026]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the teachings of Dahlin in Teng's system because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 28, Teng teaches the template can be an XML document that defines a set of parameters for each of the actions available to the particular workflow. See page 14, paragraph [0184].

Regarding claim 29, Teng does not teach generating computer displays partitioned into distinct phases comprised of steps where the steps comprise questions. However, Dahlin teaches prompting a user to solicit information regarding patient conditions and presenting a diagnosis of the patient based on the responses. See figures 13-16, page 4, paragraphs [0041]-[0044]. Dahlin teaches displaying medical diagnostic and treatment information to the user based on the health professional's choices throughout the workflow process. See pages 2, paragraph [0017]-page 3, paragraph [0026]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the teachings of Dahlin in Teng's system because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 30, Teng does not teach generating computer displays partitioned into distinct phases comprised of steps where the steps comprise questions. However, Dahlin teaches prompting a user to solicit information regarding patient conditions and presenting a diagnosis of the patient based on the responses. See figures 13-16, page 4, paragraphs [0041]-[0044]. Dahlin teaches displaying medical

diagnostic and treatment information to the user based on the health professional's choices throughout the workflow process. See pages 2, paragraph [0017]-page 3, paragraph [0026]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the teachings of Dahlin in Teng's system because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 32, Teng does not teach generating computer displays partitioned into distinct phases comprised of steps where the steps comprise questions. However, Dahlin teaches prompting a user to solicit information regarding patient conditions and presenting a diagnosis of the patient based on the responses. See figures 13-16, page 4, paragraphs [0041]-[0044]. Dahlin teaches displaying medical diagnostic and treatment information to the user based on the health professional's choices throughout the workflow process. See pages 2, paragraph [0017]-page 3, paragraph [0026]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the teachings of Dahlin in Teng's system because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 33, Teng discloses a template based workflow definition in which a template which can be a text document is used to define a workflow which meets the limitation, ***a system for deconstructing a human readable document into a workflow process***. See page 1, paragraph [0014] and page 15, paragraph [0187].

Teng teaches the template can be created using a word processor (i.e. text document). The template defines a set of parameters for actions available to various workflow types to create a customized workflow. See page 1, paragraphs [0014]-[0015]. Specifically, Teng teaches a template is created and stored using a word processor. Teng teaches the systems reads the templates and determines which actions can be added to a GUI. The system then receives a selection of the attributes and types from the user which is used to form a GUI which meets the limitation, ***a document editing tool that permits a user to select text portions of the document and to associate with each text portion one or more workflow process parameters that determine a sequence or content of one aspect of the workflow process***. See page 15, paragraphs [0187]-[0193].

Teng teaches the actions selected by the user in the XML document are added to a Graphical User Interface. The appropriate attributes and types of attributes are added to the GUI based on the template definition. The GUI is used to represent the flow of the workflow and any subflows represented by the XML document which meets the limitation, ***a document generator that converts the selected text portions and associated workflow process parameters into a data structure that represents an***

ordered sequencing of the workflow process. See page 15, paragraphs [0187]-[0195].

Teng does not expressly teach ***user-selected text portions of a document.*** It was well known in the art at the time of the invention to select a portion of a document. Teng teaches selecting an entire document for conversion into a data structure. It would have been obvious to a person of ordinary skill in the art at the time of the invention to substitute the known method of selecting a portion of a document with Teng's method of selecting the entire document in order to achieve the predictable result of selecting a portion of the document for conversion into a data structure.

Teng does not teach generating computer displays that prompt a user to enter information using one or more workflow process parameters. However, Dahlin teaches prompting a user to solicit information regarding patient conditions and presenting a diagnosis of the patient based on the responses. See figures 13-16, page 4, paragraphs [0041]-[0044]. Dahlin teaches displaying medical diagnostic and treatment information to the user based on the health professional's choices throughout the workflow process. See pages 2, paragraph [0017]-page 3, paragraph [0026].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the teachings of Dahlin in Teng's system because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin.

Regarding claim 35, Teng does not expressly state the workflow process comprises a *transaction negotiation process*; however, Teng teaches organizations and businesses require various pre-defined business methods to carry out various tasks that are commonly used in their business practices. In order to implement various business methods, workflows have been implemented to automate those business methods. This could include transaction negotiation because it was a commonly used business task utilized by organizations. Thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to create a workflow process comprising a transaction negotiation process because it was desirable at the time of the invention to automate commonly used tasks by businesses by creating a custom workflow that supported the organization's business practices and tasks. See page 1, paragraph [0010]-[0015].

Regarding claim 37, Teng teaches organizations and businesses require various pre-defined business methods to carry out various tasks that are commonly used in their business practices. In order to implement various business methods, workflows have been implemented to automate those business methods. This includes transaction negotiation as it was a commonly used business task utilized by organizations. See page 1, paragraph [0010]-[0015].

Allowable Subject Matter

8. Claim 19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, first paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments filed 06/05/07 have been fully considered but they are not persuasive. It is noted claims 1, 5, 20, 27, 31, and 33 have been amended. Claims 34-38 are newly added claims addressed above.

On pages 9-10 of the Remarks, Applicant argues claims 1 and 31 do produce a useful, concrete, and tangible result because by definition a workflow process generates results insofar as a work progresses and results are created and/or altered in the process. Examiner disagrees that the tangible result is the "workflow process" itself; however, upon further review it appears that the conversion of a text document into a data structure representing the workflow process does produce a tangible result. Accordingly, the rejections under 35 U.S.C. 101 have been withdrawn. Furthermore, Applicant's amendment with respect to claim 20 reciting storing the data structure representing the workflow overcomes the rejections under 35 U.S.C. 101. Accordingly, the rejections under 35 U.S.C. 101 with respect to claim 20 have also been withdrawn.

On page 10 of the Remarks, Applicant argues claims 1, 20, 27, 31, and 33 have been amended to clarify the base document is a human readable text document (i.e. written in a spoken language). As stated in the rejections under 35 U.S.C. 112, first paragraph above, the term "human readable" is neither discussed nor defined in the

specification as being a “spoken language”. It should be noted while Applicant argues Teng does not teach the document is a human readable text document, neither does Applicant’s specification. Therefore, within the broadest reasonable interpretation, the term “human readable” is interpreted as a document that can be read by a human such as text document, an XML document, etc.

Applicant argues Teng discloses a “generic template” as an XML document but Teng does not teach or suggest that the document from which the template is created is a human readable text document. Examiner disagrees. Teng teaches the template can be created using a word processor. A document created using a word processor is a text document. See page 15, paragraph [0187]. The document created using the word processor is used to create an XML document or template.

Regarding the last paragraph on page 10 of the Remarks, it should be noted Applicant argues random terms out of context and the office does not fully understand the arguments being made. For example, none of the claims discuss deconstructing or reverse engineering other than to mention them in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951). The claims further do not claim human interaction or encouraging and facilitating human interaction. Applicant argues the terms “negotiate” and “transaction”, as currently

added, are absent from Teng. Amended claim 5 and new claims 34-37 cite "the workflow process comprises a transaction negotiation process". Teng teaches organizations and businesses require various pre-defined business methods to carry out various tasks that are commonly used in their business practices. In order to implement various business methods, workflows have been implemented to automate those business methods. This includes transaction negotiation as it was a commonly used business task utilized by organizations. See page 1, paragraph [0010]-[0015].

On page 11 of the Remarks, Applicant argues Teng neither detects user-selected text portions of the displayed human readable text document, nor converts user-selectable text portions of the human readable text document and process parameters into a data structure. Examiner respectfully disagrees. It is initially noted Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. For example, Teng teaches a template controls and defines a workflow definition process. In one embodiment, the template file is an XML file that defines a set of parameters for each of the actions available to a particular workflow type. See page 14, paragraph [0184]. This template can be created using a word processor where a user defines the workflow. The template is then used to create a GUI (data structure) representing the ordering of information to be elicited when the workflow process is executed. As noted in the rejections above while Teng does not expressly teach user-selected text portions of a document. It was well known in the art at the time of the invention to select a

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portion of a document. Teng teaches selecting an entire document for conversion into a data structure. It would have been obvious to a person of ordinary skill in the art at the time of the invention to substitute the known method of selecting a portion of a document with Teng's method of selecting the entire document in order to achieve the predictable result of selecting a portion of the document for conversion into a data structure. In Teng, the system takes the entire template or document including user-selected parameters and uses the template to define a workflow process. Applicant has not argued why the portions of Teng the Office purports teaches the claimed invention does not in fact teach the claimed invention. Applicant has merely made a broad statement alleging Teng does not teach various limitations of the claims. The template defines workflow process parameters that are used to create a data structure. See page 15, paragraphs [0187]-[0195]. Please refer to the rejections above.

On page 11, Applicant argues claim 20 is allowable over Teng. Applicant argues amended claim 20 clarifies that the user provides user input to tag the human readable text document and is allowable for this reason. Examiner respectfully disagrees. Teng teaches a user creates an XML document using a word processor to define a workflow process. A word processor provides editing tools allowing the user to create and tag documents with workflow process parameters. See page 14, paragraph [0184] and the table showing an XML document comprising tags inputted from a user. Teng further discloses a user can input selections for attributes and types via a GUI representing the XML template which meets the limitation ***receiving user input from editing tools***

superimposed over the human readable text document. See page 15, paragraphs [0187]-[0193].

Applicant argues the parameters in Teng and the claimed “questions” are different because the parameters in Teng are a set of rules that apply to a workflow which is different from specific questions created as part of a specific document. It is noted, that claim 20 does not recite the feature of “questions”. However, some of the dependent claims (i.e. 21 and 22) do recite user-specified questions. As indicated in the rejection above, Teng does not expressly state the workflow parameters comprise questions; however, workflows generally comprise questions as disclosed by Dahlin. Dahlin discloses a workflow in which an interface is provided for asking a plurality of questions about a patient in order to arrive at a diagnosis. See abstract, page 4, paragraphs [0041]-[0044] and figures 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention that a workflow process of Teng would comprise questions to be asked because workflow processes often consist of workflow tasks to be performed and often require questions related to a condition to be asked in order to execute the next task and properly diagnose a problem. See pages 1-2 of Dahlin. It is noted Dahlin was relied upon to teach the claimed “questions” as outlined in the rejections above. Applicant has not argued the Dahlin reference with respect to their arguments on page 11.

Applicant argues claims 31, 2-19, 21-26, and 32 are allowable for the same reasons as their respective base claims. The Office maintains the rejections for these claims in light of the comments regarding base claims 1, 20, 27, 31, and 33 above.

On page 12, with respect to claim 7, Applicant argues neither Teng nor Dahlin teaches user-selected creation of a question to be asked. Applicant argues at best, Dahlin teaches asking a pre-existing question. Examiner respectfully disagrees. Dahlin teaches the interface provides a plurality of questions to be asked or entered about a patient. Entering a question about the patient is creating a question to be asked. See page 2, paragraph [0017] of Dahlin.

With respect to claim 8, Applicant argues neither Teng nor Dahlin teaches user-selected valid responses for a question. Applicant argues at best, Dahlin describes pre-existing valid responses from which a user must choose. Examiner respectfully disagrees with Applicant's rationale. The user selection of a *pre-existing* valid response is still a user-selected valid response for a question. See page 4, paragraphs [0041]-[0044] and figures 13-16 of Dahlin.

On page 12, Applicant argues claims 5, 27 and 33 and any respective dependent claims are allowable for the same reasons argued with respect to claims 1, 20, and 31. Examiner maintains the rejections in light of the comments with respect to claims 1, 20, and 31 above.

In view of the comments above, the rejections are maintained.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rachna Singh
Art Unit 2176
08/07/07